

Message Text

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ORIGIN DLOS-09

INFO OCT-01 ARA-10 IO-13 ISO-00 ACDA-12 AGRE-00 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 COME-00 DODE-00

DOTE-00 EB-08 EPA-01 ERDA-05 FEAE-00 FMC-01

TRSE-00 H-01 INR-07 INT-05 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-05 PRS-01

SP-02 SS-15 USIA-06 /127 R

DRAFTED BY S/AR: AGJAMES

APPROVED BY S/AR: AMBASSADOR RICHARDSON

ARA/AND/P:CFULLER

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R 031706Z NOV 77

FM SECSTATE WASHDC

TO AMEMBASSY LIMA

INFO USMISSION GENEVA

C O N F I D E N T I A L STATE 262837

FROM AMBASSADOR RICHARDSON

E.O. 11652: GDS

TAGS: PLOS, PE

SUBJECT: LOS - INTERSESSIONAL ACTIVITY

REF: LIMA 9353

1. I HAVE READ WITH INTEREST THE REPORT OF THE POLITICAL COUNSELOR'S TALK WITH DE SOTO ON OCTOBER 25. AS YOU KNOW, DE SOTO HAS BEEN INVITED BY NORWEGIAN MINISTER EVENSEN TO ATTEND A PRIVATE MEETING OF 25-30 KEY LOS PARTICIPANTS IN GENEVA ON NOVEMBER 14. I HOPE HE WILL BE ABLE TO ATTEND. PRIOR TO THAT MEETING THERE ARE SOME GENERAL OBSERVATIONS ABOUT MATTERS OF CONCERN TO THE US WHICH I WOULD APPRECIATE
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YOUR HAVING CONVEYED TO DE SOTO. IF YOU THINK IT DESIRABLE TO PUT THESE POINTS IN AN INFORMAL PAPER TO LEAVE WITH DE SOTO, PLEASE DO SO.

2. IN CONJUNCTION WITH OUR POLICY REVIEW I HAVE BEEN CONSULTING INFORMALLY WITH A NUMBER OF OUR CONFERENCE COLLEAGUES TO ASCERTAIN THEIR VIEWS OF WAYS IN WHICH THE

NEGOTIATIONS MIGHT BE RELAUNCHED ON A FAIR AND REASONABLE BASIS. MY GOVERNMENT ATTACHES GREAT IMPORTANCE TO THE PROPOSITION THAT THE STARTING POINT FOR FURTHER NEGOTIATIONS SHOULD BE NO LESS REASONABLE THAN THE TEXTS WHICH MINISTER EVENSEN SUBMITTED TO CHAIRMAN ENGO. I HAVE

THEREFORE BEEN INTERESTED TO FIND OUT TO WHAT EXTENT THIS CONCERN IS SHARED BY OTHER CONFERENCE PARTICIPANTS.

REGARDING OUR CONCERNS ABOUT CONFERENCE PROCEDURES, I HAVE BEEN ENCOURAGED BY THE VIEWS I HAVE HEARD EXPRESSED.

THERE SEEMS TO BE A GENERAL FEELING THAT PROCEDURES MUST BE DEvised TO ENSURE THAT ANY CONSENSUS WHICH EMERGES ON SEABEDS (AND OTHER UNRESOLVED ISSUES) WILL STICK. PRESIDENT AMERASINGHE HAS TOLD ME THAT HE CONTEMPLATES CONDUCTING THE 7TH SESSION OF THE CONFERENCE IN PLENARY SESSION WITH THE COMMITTEE CHAIRMEN SITTING WITH HIM ON THE DIAS. NEGOTIATIONS WOULD BE CONDUCTED IN THE PLENARY AND, TO THE EXTENT NECESSARY, BY WORKING GROUPS FORMED TO DEAL WITH SPECIFIC ISSUES AND CHAIRED BY INDIVIDUALS DESIGNATED BY HIM. I AM PLEASED TO NOTE THAT DE SOTO THINKS THE SEABEDS ISSUE MUST BE MOVED TO THE PLENARY. THOSE TO WHOM I HAVE SPOKEN SEEM TO THINK THIS IS A CONSTRUCTIVE WAY TO PROCEED.

MANY OF THOSE WITH WHOM I HAVE SPOKEN, INCLUDING PRESIDENT
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AMERASINGHE, SHARE THE VIEW THAT THE 7TH SESSION MUST BE THE FINAL NEGOTIATING SESSION AND THAT IT SHOULD RESULT IN A DRAFT TREATY. IT IS WIDELY FELT THAT, IF THIS IS TO BE DONE, A GREAT DEAL OF PRELIMINARY WORK MUST BE ACCOMPLISHED DURING THE INTERSESSIONAL PERIOD. THERE IS A RANGE OF ISSUES RELATING TO THE SEABEDS WHICH MUST BE EXAMINED; SOME HAVE NOT YET BEEN ADEQUATELY DISCUSSED, FOR EXAMPLE, FINANCIAL ARRANGEMENTS BETWEEN THE AUTHORITY AND CONTRACTING PARTIES. PRESIDENT AMERASINGHE WILL SHORTLY ASK EACH DELEGATION TO SEND HIM ITS CRITIQUE OF THE ICNT. A NUMBER OF THE PEOPLE TO WHOM I HAVE SPOKEN THINK THAT THE PRESIDENT MIGHT USE THOSE CRITIQUES TO PREPARE FORMULATIONS WHICH MIGHT BE CONSIDERED AS SUGGESTIONS TO FACILITATE COMPROMISE. THE PRESIDENT SEEMS DISPOSED TO CIRCULATE SUCH FORMULATIONS IN THE INTERESTS OF LAYING A FIRM FOUNDATION FOR WORK AT THE NEXT SESSION. I HAVE ALSO FOUND GENERAL SENTIMENT THAT IF THE NEXT SESSION IS TO MAKE REAL PROGRESS, IT IS IMPERATIVE THAT THESE SUGGESTED FORMULATIONS BE PREPARED PRIOR TO AND DISCUSSED AT AN OPEN-ENDED INTERSESSIONAL MEETING WHICH MIGHT BE HELD EARLY IN 1978. DOES DE SOTO THINK THIS WAY OF PROCEEDING WOULD COMMAND GENERAL SUPPORT?

THE US GOVERNMENT BELIEVES THAT THE STARTING POINT FOR FURTHER NEGOTIATIONS SHOULD BE NO LESS REASONABLE THAN THE TEXTS WHICH MINISTER EVENSEN SUBMITTED TO CHAIRMAN ENGO. THE UNITED STATES DID NOT, AS I HAVE MADE CLEAR, REGARD THOSE TEXTS AS SUBSTANTIVELY SATISFACTORY; NOR, I UNDERSTAND, DID THE GROUP OF 77. BUT THE EVENSEN TEXTS DID OFFER REAL PROSPECT OF ENABLING US TO CARRY NEGOTIATIONS FORWARD. GIVEN OUR OWN DIFFICULTIES WITH THE EVENSEN TEXTS, WE COULD NOT THEREFORE CONTEMPLATE NEGOTIATING ON A BASIS SOMEWHERE MIDWAY BETWEEN THE EVENSEN TEXTS AND THE ICNT. I COULD NOT RECOMMEND TO PRESIDENT CARTER THAT HE SUBMIT TO THE SENATE OF THE UNITED STATES FOR RATIFICATION A PROPOSED TREATY WHICH RESTED SOMEWHERE BETWEEN

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THOSE TWO DOCUMENTS, NOR WOULD THE SENATE IN ANY CASE GIVE ITS ADVICE AND CONSENT TO SUCH A TREATY. I HOPE THEREFORE THAT THE CONFERENCE WILL APPRECIATE HOW IMPORTANT IT SEEMS TO US TO FIND A SUBSTANTIVE POINT OF DEPARTURE WHICH IS CLOSER TO AN EVENTUAL CONSENSUS THAN THE ONE WHICH WE NOW HAVE IN PROSPECT.

THE GENEVA MEETING PRESENTS A UNIQUE OPPORTUNITY FOR KEY DELEGATES TO GIVE FRESH IMPULSE TO THE CONFERENCE. THE READINESS OF THOSE AT THAT MEETING TO CONSIDER CONSTRUCTIVE AND REASONABLE STEPS TO ADVANCE OUR WORK WILL HAVE DIRECT RELEVANCE TO THE RECOMMENDATIONS I WILL MAKE TO PRESIDENT CARTER ABOUT CONTINUED US PARTICIPATION.

3. PLEASE GIVE MY REGARDS TO DE SOTO. I WOULD APPRECIATE YOUR INFORMING ME WHETHER HE EXPECTS TO GO TO GENEVA.

4. FOR US MISSION GENEVA: PLEASE CONVEY POINTS IN PARAGRAPHS TWO ABOVE TO AMBASSADOR ARIAS SCHREIBER. VANCE

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